

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

EXXON MOBIL CORPORATION,

Plaintiff,

v.

MAURA TRACY HEALEY, Attorney  
General of Massachusetts, in her official  
capacity,

Defendant.

No. 4:16-CV-469-K

**APPENDIX**

**OPPOSITION OF ATTORNEY GENERAL HEALEY TO  
EXXON MOBIL CORPORATION'S MOTION FOR LEAVE  
TO FILE A FIRST AMENDED COMPLAINT**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>	<b><u>Page(s)</u></b>
n/a	<u>Declaration of Peter C. Mulcahy (Nov. 7, 2016)</u>	-
1	Transcript of an October 24, 2016, hearing before the New York Supreme Court for New York County in <i>In the Matter of the Application of the People of the State of New York</i> , Index No. 451962/2016, Document No. 42, accessible at <a href="https://iapps.courts.state.ny.us/webcivil/FCASMain">https://iapps.courts.state.ny.us/webcivil/FCASMain</a> .	001-068
2	Decision and Order, dated October 25, 2016, of the New York Supreme Court for New York County in <i>In the Matter of the Application of the People of the State of New York</i> , Index No. 451962/2016, Document No. 46, accessible at <a href="https://iapps.courts.state.ny.us/webcivil/FCASMain">https://iapps.courts.state.ny.us/webcivil/FCASMain</a> .	069-075
3	Clifford Krauss, <i>Exxon Concedes It May Need to Declare Lower Value for Oil in Ground</i> , N.Y. TIMES, Oct. 28, 2016, <a href="http://www.nytimes.com/2016/10/29/business/energy-environment/exxon-concedes-it-may-need-to-declare-lower-">http://www.nytimes.com/2016/10/29/business/energy-environment/exxon-concedes-it-may-need-to-declare-lower-</a>	076-080

[value-for-oil-in-ground.html](#).

- 4 Bradley Olson & Lynn Cook, *Exxon Warns on Reserves As It Posts Lower Profit: Oil producer to examine whether assets in an area devastated by low price and environmental concerns should be written down*, WALL ST. J., Oct. 28, 2016, <http://www.wsj.com/articles/exxon-mobil-profit-revenue-slide-again-1477657202>. 081-084
- 5 Steven Mufson, *ExxonMobil tells independent groups to preserve records of their climate case communications—including with press*, THE WASHINGTON POST, Nov. 3, 2016, <https://www.washingtonpost.com/news/energy-environment/wp/2016/11/03/exxonmobil-tells-independent-groups-to-preserve-records-of-their-climate-case-communications-including-with-the-press>. 085-088

Dated: November 7, 2016

Respectfully submitted,

MAURA HEALEY  
ATTORNEY GENERAL OF  
MASSACHUSETTS

By her attorneys:

Richard Johnston (*pro hac vice*)  
Chief Legal Counsel  
richard.johnston@state.ma.us  
Melissa A. Hoffer (*pro hac vice*)  
Chief, Energy and Environment Bureau  
melissa.hoffer@state.ma.us  
Christophe G. Courchesne (*pro hac vice*)  
Chief, Environmental Protection Division  
christophe.courchesne@state.ma.us  
I. Andrew Goldberg (*pro hac vice*)  
andy.goldberg@state.ma.us  
Peter C. Mulcahy (*pro hac vice*)  
peter.mulcahy@state.ma.us  
Assistant Attorneys General  
OFFICE OF THE ATTORNEY GENERAL  
One Ashburton Place, 18th Floor  
Boston, MA 02108  
(617) 727-2200  
Fax (617) 727-9665

s/ Douglas A. Cawley  
Douglas A. Cawley  
Lead Attorney  
Texas State Bar No. 04035500  
dcawley@mckoolsmith.com  
Richard A. Kamprath  
Texas State Bar No. 24078767  
rkamprath@mckoolsmith.com  
MCKOOL SMITH, P.C.  
300 Crescent Court, Suite 1500  
Dallas, Texas 75201  
(214) 978-4000  
Fax (214) 978-4044

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on November 7, 2016, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system. Any other counsel of record will be served in accordance with the Federal Rules of Civil Procedure.

s/ Douglas A. Cawley  
Douglas A. Cawley